



General Assembly

**Substitute Bill No. 6955**

January Session, 2007

\* \_\_\_\_\_HB06955TRA\_\_041807\_\_\_\_\_\*

**AN ACT CONCERNING OPERATOR'S LICENSES BEARING A  
SCHOOL BUS ENDORSEMENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-44 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) (1) No person shall operate a commercial motor vehicle used for  
4 passenger transportation on any public highway of this state until [he]  
5 such person has obtained a commercial driver's license with a  
6 passenger endorsement from the commissioner, except a nonresident  
7 who holds such license with such endorsement issued by another state.  
8 (2) No person shall operate a school bus until [he] such person has  
9 obtained a commercial driver's license with a school bus endorsement,  
10 except that a person who holds such a license without such  
11 endorsements may operate a school bus without passengers for the  
12 purpose of road testing or moving the vehicle. (3) No person shall  
13 operate a taxicab, motor vehicle in livery service, motor bus or service  
14 bus until such person has obtained an operator's license bearing an  
15 endorsement of the appropriate type from the commissioner issued in  
16 accordance with the provisions of this section and section 14-36a. (4)  
17 No person shall operate a student transportation vehicle, as defined in  
18 section 14-212, activity vehicle [,] or camp vehicle [, taxicab, motor

19 vehicle in livery service, motor bus or service bus] until [he] such

20 person has obtained an operator's license bearing an endorsement of  
21 the appropriate type from the commissioner issued in accordance with  
22 the provisions of this section and section 14-36a.

23 (b) No operator's license bearing an endorsement shall be issued or  
24 renewed in accordance with the provisions of this section or section 14-  
25 36a, until the commissioner, or [his] the commissioner's authorized  
26 representative, is satisfied that the applicant is a proper person to  
27 receive such an operator's license bearing an endorsement, holds a  
28 valid motor vehicle operator's license, or, if necessary for the class of  
29 vehicle operated, a commercial driver's license and is at least eighteen  
30 years of age. Each applicant for such a permit, an operator's license  
31 bearing an endorsement or the renewal of such a license shall furnish  
32 the commissioner, or [his] the commissioner's authorized  
33 representative, with satisfactory evidence, which may be required to  
34 be under oath, to prove that [he has] such person: Has no criminal  
35 record, [that he] has not been convicted of a violation of subsection (a)  
36 of section 14-227a within five years of the date of application and that  
37 no reason exists for a refusal to grant or renew such an operator's  
38 license bearing an endorsement. Each applicant for such an operator's  
39 license bearing an endorsement shall submit with [his] the application  
40 proof satisfactory to the commissioner that [he] such applicant has  
41 passed a physical examination [which has been taken within]  
42 administered not more than ninety days prior to [his] the date of  
43 application, and which is in compliance with safety regulations  
44 established from time to time by the United States Department of  
45 Transportation. Each applicant for renewal of such license shall  
46 present evidence that such applicant is in compliance with the medical  
47 qualifications established in 49 CFR 391, as amended. Each applicant  
48 for such an operator's license bearing an endorsement shall be  
49 fingerprinted before the license bearing an endorsement is issued.

50 (c) The commissioner may issue, withhold, renew, suspend, cancel  
51 or revoke, any endorsement required to operate a motor vehicle that  
52 transports passengers, as provided in subsection (c) of section 14-36a.  
53 The commissioner may, in making his decision, consider the age,

54 accident and criminal record, moral character and physical condition  
55 of any such applicant or endorsement holder and such other matters as  
56 the commissioner may determine. The commissioner may require any  
57 such applicant or endorsement holder to furnish the statements of two  
58 or more reputable citizens, which may be required to be under oath,  
59 vouching for the good character or other qualifications of the applicant  
60 or endorsement holder.

61 (d) Upon the arrest of any person who holds an operator's license  
62 bearing a school endorsement charged with a felony or violation of  
63 section 53a-73a, the arresting officer or department, within forty-eight  
64 hours, shall cause a report of such arrest to be made to the  
65 commissioner. The report shall be made on a form approved by the  
66 commissioner containing such information as the commissioner  
67 prescribes. The commissioner may adopt regulations, in accordance  
68 with chapter 54, to implement the provisions of this subsection.

69 (e) Prior to issuing an operator's license bearing a school  
70 endorsement or bearing the appropriate type of endorsement for  
71 operation of a student transportation vehicle pursuant to subdivision  
72 (4) of subsection (a) of this section, the commissioner shall require each  
73 applicant to submit to state and national criminal history records  
74 checks, and a check of the state child abuse registry established  
75 pursuant to section 17a-101k for perpetrator information. The criminal  
76 history records checks required pursuant to this subsection shall be  
77 conducted in accordance with section 29-17a. If notice of a state  
78 criminal history record is received, the commissioner may refuse to  
79 issue an operator's license bearing such an endorsement and, in such  
80 case, shall immediately notify the applicant, in writing, of such refusal.  
81 Subject to the provisions of section 46a-80, if notice of a national  
82 criminal history record is received, the commissioner may withdraw  
83 the operator's license bearing [a school] such an endorsement  
84 immediately and, in such case, shall immediately notify the holder of  
85 such license and the holder's employer, in writing, of such withdrawal.  
86 If notice that the applicant is listed as a perpetrator of abuse on the  
87 state child abuse registry established pursuant to section 17a-101k is

88 received, the commissioner shall refuse to issue an operator's license  
89 bearing such an endorsement and, in such case, shall immediately  
90 notify the applicant, in writing, of such refusal. The commissioner shall  
91 not issue a temporary operator's license bearing a school endorsement  
92 or bearing the appropriate type of endorsement for operation of a  
93 student transportation vehicle.

94 (f) Any applicant who is refused an operator's license bearing an  
95 endorsement or the renewal of such a license, or whose operator's  
96 license bearing an endorsement or the renewal of such a license is  
97 withdrawn or revoked on account of a criminal record, shall be  
98 entitled to a hearing if requested in writing within twenty days. The  
99 hearing shall be conducted in accordance with the requirements of  
100 chapter 54 and the applicant may appeal from the final decision  
101 rendered therein in accordance with section 4-183.

102 (g) Notwithstanding the provisions of section 14-10, the  
103 commissioner [may] shall furnish to any board of education or to any  
104 public or private organization that is actively engaged in providing  
105 public transportation, including the transportation of school children, a  
106 report containing the names and motor vehicle operator license  
107 numbers of each person who has been issued an operator's license with  
108 one or more endorsements, authorizing such person to transport  
109 passengers in accordance with the provisions of section 14-36a, but  
110 whose license or any such endorsement has been withdrawn,  
111 suspended or revoked by the commissioner in accordance with the  
112 provisions of this section, or any other provision of this title. The  
113 report shall be issued and updated periodically in accordance with a  
114 schedule to be established by the commissioner. Such report may be  
115 transmitted or otherwise made available to authorized recipients by  
116 electronic means.

117 (h) Violation of any provision of this section shall be an infraction.

118 Sec. 2. Subsection (c) of section 14-36d of the general statutes is  
119 repealed and the following is substituted in lieu thereof (*Effective July*

120 1, 2007):

121 (c) [The] Except as provided in subsection (e) of section 14-44, as  
122 amended by this act, the commissioner may issue a temporary license  
123 without a picture of the licensee to out-of-state applicants, to members  
124 of the armed forces and in such other situations as the commissioner  
125 finds necessary, provided a temporary license shall be valid only until  
126 the applicant has had time to appear and to have his picture taken and  
127 a license containing his picture issued.

128 Sec. 3. Subsection (d) of section 14-276a of the general statutes is  
129 repealed and the following is substituted in lieu thereof (*Effective July*  
130 *1, 2007*):

131 (d) A carrier shall require each person whom it intends to employ to  
132 operate a school bus, as defined in section 14-275, or a student  
133 transportation vehicle, as defined in section 14-212, to submit to a  
134 urinalysis drug test in accordance with the provisions of sections 31-  
135 51v and 31-51w and shall require each person it employs to operate  
136 such vehicles to submit to a urinalysis drug test on a random basis in  
137 accordance with the provisions of section 31-51x, as amended by this  
138 act. No carrier may employ or continue to employ any person who has  
139 received a positive test result for such test which was confirmed as  
140 provided in subdivisions (2) and (3) of section 31-51u. The  
141 commissioner may, after notice and hearing, impose a civil penalty of  
142 not more than [one thousand] two thousand five hundred dollars for  
143 each offense on any carrier which violates any provision of this  
144 subsection.

145 Sec. 4. Section 14-276 of the general statutes is repealed and the  
146 following is substituted in lieu thereof (*Effective July 1, 2007*):

147 (a) Registered school buses while transporting school children shall  
148 be operated by holders of a valid passenger and school endorsement  
149 issued in accordance with section 14-44. Such endorsement shall be  
150 held in addition to the commercial driver's license required for the  
151 operation of such motor vehicles. A person who has attained the age of

seventy shall be allowed to hold a passenger and school endorsement for the purpose of operating a school bus, provided he meets the minimum physical requirements set by the Commissioner of Motor Vehicles and agrees to submit to a physical examination at least twice a year or when requested to do so by the superintendent of the school system in which he intends to operate a school bus. Any person to whom a town has awarded a contract for the transportation of school children who permits the operation of a registered school bus while transporting school children by any person who does not hold a passenger and school endorsement shall be fined not less than [thirty-five] five thousand dollars nor more than [ninety] ten thousand dollars.

[(b) Violation of the provisions of this section shall be an infraction.]

(b) No later than the fifteenth day of each month, a carrier shall submit a list of each person whom it employs to operate a school bus, as defined in section 14-275, or a student transportation vehicle, as defined in section 14-212, to the Commissioner of Motor Vehicles. The commissioner shall verify that each such person has a valid license with the proper endorsement.

(c) Except as otherwise provided in subsection (a) of this section, any person who violates this section shall be fined not less than one thousand dollars or more than two thousand five hundred dollars.

Sec. 5. Subsection (b) of section 31-51x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(b) Notwithstanding the provisions of subsection (a) of this section, an employer may require an employee to submit to a urinalysis drug test on a random basis if (1) such test is authorized under federal law, (2) the employee serves in an occupation which has been designated as a high-risk or safety-sensitive occupation pursuant to regulations adopted by the Labor Commissioner pursuant to chapter 54, or is employed to operate a school bus, as defined in section 14-275, or a

184 student transportation vehicle, as defined in section 14-212, or (3) the  
 185 urinalysis is conducted as part of an employee assistance program  
 186 sponsored or authorized by the employer in which the employee  
 187 voluntarily participates.

188 Sec. 6. Section 14-44f of the general statutes is repealed and the  
 189 following is substituted in lieu thereof (*Effective July 1, 2007*):

190 If the commissioner finds that an applicant for a commercial driver's  
 191 license or the holder of such license has supplied false information in  
 192 order to obtain the license, [he] the commissioner shall withhold the  
 193 issuance of the license or suspend the license for sixty days, and  
 194 thereafter until the true and correct information is submitted. If such  
 195 applicant is seeking a commercial driver's license with a school bus  
 196 endorsement, such applicant's false statement shall be punishable  
 197 under section 53a-157b. The application for such license with a school  
 198 bus endorsement shall provide notice that false statements on such  
 199 application are punishable under section 53a-157b.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	14-44
Sec. 2	<i>July 1, 2007</i>	14-36d(c)
Sec. 3	<i>July 1, 2007</i>	14-276a(d)
Sec. 4	<i>July 1, 2007</i>	14-276
Sec. 5	<i>July 1, 2007</i>	31-51x(b)
Sec. 6	<i>July 1, 2007</i>	14-44f

**ED** Joint Favorable Subst.

**TRA** Joint Favorable